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BEFORE THE

Federal Communications Commission

WASHINGTON, D.C.

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JAN 22 2003

IN THE MATTER OF:

) MMDOCKETNO.

)
)
) *Amendment of 47 C.F.R. §73.202(b)*
) *Table of FM Allotments*

) RM-

)
)
) *(Weatherford, Oklahoma*
) *and Blanchard, Oklahoma)*

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

To: The Chief, Audio Division)

PETITION FOR RULE MAKING

Comes now **Wright Broadcasting Systems, Inc.** ("Petitioner"), by Counsel, and pursuant to Section 1.401 of the Commission's Rules, hereby respectfully petitions the Commission to amend Section 73.202(b) of the Rules, FM Table of Allotments, as follows:

| <i>Community</i> | <i>Present</i> | <i>Proposed</i> |
|-----------------------|----------------|-----------------|
| Weatherford, Oklahoma | 247C1, 286A | 286A |
| Blanchard, Oklahoma | ----- | 247A |

In support whereof, the following is shown:

Background

1. Petitioner is the Licensee of Radio Stations KWEY (AM) and KWEY-FM, Weatherford, Oklahoma. Radio Station KWEY-FM is presently authorized to operate on Channel 247C1. Petitioner seeks to have the Commission amend the FM Table of Allotments to permit the reallocation of KWEY-FM's community of license from Weatherford, Oklahoma to Blanchard, Oklahoma to operate on Channel 247A

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Compliance With Allocation Rules

2. Attached hereto as ***Exhibit 1***, is the Engineering Statement of William G. Brown of the Engineering firm of Bromo Communications, Inc.. As the attached Engineering Statement demonstrates, the proposed reallocation of Channel 247A in Blanchard, Oklahoma for Channel 247C1 in Weatherford, Oklahoma will meet all of the spacing requirements set forth in 47 CFR §§73.207 and 73.210. Furthermore, this proposal falls under Sections 1.420(g) and 1.420(i) of the Commission's Rules because the proposed allotment of Channel 247A in Blanchard, Oklahoma is mutually exclusive with the present use of Channel 247C1 in Weatherford, Oklahoma. Accordingly, other expressions of interest need not be solicited or entertained by the Staff under current allocation policies.

Community Showing

3. Blanchard, Oklahoma is a community of sufficient size, identity, and independence to warrant an allotment of a local broadcast service under the Commission allocation policies. Blanchard is an incorporated city located in both McClain and Grady Counties, Oklahoma. As indicated in the 2000 U.S. Census Data, ***Exhibit 2***, Blanchard had a population of 2,816¹.

4. Blanchard has an elected mayor² and city council which are independent of the governments of McClain and Grady Counties. The city has its own U.S. Post Office, volunteer fire department, police department, water plant, trash disposal, sewer system, and library.'

5. In addition, Blanchard has a variety of retail stores, professional services, restaurants, service stations and banks. Additionally, the community is served by fifteen houses of worship. Blanchard also has several service and community organizations, including Blanchard Masonic Lodge and Lion's Club. (*See Exhibit 3*)

¹2000 U.S. Census Data, attached as ***Exhibit 2***

²The Hon. Bill Edwards is currently Mayor

³*See Exhibit 3*, attached hereto for photographic evidence of various Blanchard public and private venues.

6. *Other Media.* Blanchard is presently served by a weekly newspaper, the *Blanchard News*, which is published in Blanchard. (See *Exhibit 3*).

Public Interest Showings

7. *First Local Service to Blanchard, Oklahoma.* As stated in the attached Engineering Statement, there are no other aural broadcast facilities in Blanchard. The proposed change in community would serve the new community and provide its first aural service. This new service will promote the Commission's goal of enhancing diversity of thought and opinion in the broadcast media, as well as Congress's charge to the Commission to ensure a fair, efficient and equitable distribution of radio services in the United States.⁴

8. *Significant Coverage Gains.* The proposed reallocation to Channel 247A at Blanchard will realize a significant net gain in population service coverage. With the change, the population covered would be 171,766.⁵ The population service coverage as a Class C1 at Weatherford, Oklahoma is only 56,230.⁶ Accordingly, the instant proposal is in the public interest because it maximizes the use of the channel allotted.

The Proposal is Consistent with the Commission's Community Change Policies

9. Neither Weatherford, Oklahoma nor Blanchard, Oklahoma is located in an urbanized area. As indicated in the attached Engineering Statement, the predicted 70dBu contour does not cover any urbanized area. Thus, the instant proposal is in compliance with the Commission's Community Change Policies. See generally, *Modification of FM and TV Authorizations to Specify a New Community of License*, 4 FCC Rcd 4870 (1989).

10. *Continued Aural Service to Weatherford.* The instant proposal will not only provide Blanchard with its first local service, but it will not deprive Weatherford of its own local

⁴47 U.S.C. §307(b)

⁵ See Engineering Statement, *Exhibit 1*

⁶*Id.*

service, KWEY (AM), which would remain licensed to Weatherford. Moreover, not only would the community of Weatherford continue to enjoy local aural service from KWEY (AM), but it also has reception service from KAYM (FM), Weatherford, Oklahoma. Furthermore, it should be noted that Weatherford also has another frequency allotted on Channel 286A which is currently vacant.

Statement of Interest in Channel

11. Petitioner hereby states that, should the Commission institute the requested Rule Making proceedings and ultimately adopt the amendment to the FM Table of Allotments proposed herein, Petitioner will promptly file an application to modify the facilities of KWEY-FM to specify operation on Channel 247A and to change its community of license to Blanchard, Oklahoma.

WHEREFORE, the above premises considered, Petitioner respectfully urges that the Commission INSTITUTE Rule Making proceedings, proposing to AMEND Section 73.202(b) of the Rules, FM Table of Allotments, as follows:

| <i>Community</i> | <i>Present</i> | <i>Proposed</i> |
|-------------------------|-----------------------|------------------------|
| Weatherford, Oklahoma | 247C1, 286A | 286A |
| Blanchard, Oklahoma | ----- | 247A |

Respectfully submitted,

CASTING SYSTEMS, INC.

By: _____

John C. Trent

Its Attorney

January 22, 2003

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ENGINEERING STATEMENT

Petition for Rule Making

Channel **247A - 97.3 mHz**

Blanchard, Oklahoma

January 2003

This engineering statement is being filed on behalf of Wright Broadcasting Systems, Inc., licensee of KWEY-FM, Channel 247C1, Weatherford, Oklahoma. It is proposed to re-assign Blanchard, Oklahoma as that community's first local service. Exhibit #1 is an allocation study indicating that at the reference site¹ all spacing requirements of §73.207 are met or exceeded. Also from this location, the community of Blanchard will be served by the 70 dBu contour as seen in Exhibit #2 per 573.315.

Blanchard is located in both McClain and Grady Counties in Oklahoma. There are no other AM, FM or television services allocated to Blanchard. Blanchard is an incorporated community of 2,816 persons per the 2000 US Census. From the reference site, assuming a class maximum station, not allowing for terrain variation, the 60 dBu contour serves 171,766 persons within an area of 2,516 square kilometers.

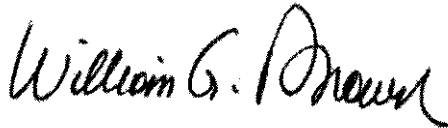
Weatherford, Oklahoma has a population of 9,859 according to the 2000 US Census. The 60 dBu contour of the licensed KWEY-FM facility at Weatherford currently serves 56,230 persons within 8,265 square kilometers using the FCC's 50/50 curves. With the allotment of Channel 247A to Blanchard, Weatherford will continue to receive local service from both KWEY (AM) and KAYM (FM).

Neither Weatherford nor Blanchard are in an urbanized area. The 70 dBu contour from the proposed reference site at Blanchard does not cover any urbanized area.

¹ Reference Site: North Latitude 35° 07' 21" and West Longitude 97° 40' 18"

When Channel **247A** is allotted to Blanchard, Wright Broadcasting Systems, Inc. will file a timely application to effectuate this change.

All statements made herein are thought to be true and correct to the knowledge of the undersigned.

A handwritten signature in black ink that reads "William G. Brown". The signature is written in a cursive style with a large, stylized "W" and "B".

William G. Brown
Bromo Communications, Inc

January 10, 2003

EXHIBIT #1
Petition for Rule Making
Channel 247A - 97.3MHz
Blanchard, Oklahoma

673.207 ALLOCATION STUDY

searching from Reference Site
Blanchard, Oklahoma

REFERENCE
35 07 21 N
97 40 18 W

CLASS = A
Current Spacings

DISPLAY DATES
DATA 01-02-03
SEARCH 01-10-03

----- Channel 247 - 97.3 MHz -----

| Call | Channel | Location | | Dist | Azi | FCC | Margin |
|------------|---------|-------------|----|--------|-------|-------|--------|
| KWEYFM LIC | 247C1 | weatherford | OK | 107.54 | 296.6 | 200.0 | -92.46 |
| KWEYFM CP | 247C1 | weatherford | OK | 125.08 | 287.0 | 200.0 | -74.92 |
| KMMZ LIC-N | 245C | Enid | OK | 95.22 | 358.7 | 95.0 | 0.22 |
| RDEL DEL | 245C | Enid | OK | 95.22 | 358.7 | 95.0 | 0.22 |
| KKEN LIC | 246A | Duncan | OK | 72.95 | 201.8 | 72.0 | 0.95 |
| RADD ADD | 249A | Purcell | OK | 35.65 | 125.4 | 31.0 | 4.65 |
| RADD ADD | 249A | Purcell | OK | 35.65 | 125.4 | 31.0 | 4.65 |
| KMODFM LIC | 248C | Tulsa | OK | 185.73 | 49.5 | 165.0 | 20.73 |
| KKWD LIC | 250A | Edmond | OK | 52.00 | 17.3 | 31.0 | 21.00 |
| RADD ADD | 248C | Keller | TX | 187.77 | 174.7 | 165.0 | 22.77 |
| RADD ADD | 248C | Keller | TX | 187.77 | 174.7 | 165.0 | 22.77 |
| KMMY LIC | 246C | Muskogee | OK | 204.64 | 85.1 | 165.0 | 39.64 |
| KNOR LIC | 249C3 | Healdton | OK | 87.88 | 167.2 | 42.0 | 45.88 |
| RADD ADD | 245C0 | Enid | OK | 132.93 | 316.2 | 86.0 | 46.93 |
| RDEL DEL | 249C3 | Healdton | OK | 93.73 | 169.7 | 42.0 | 51.73 |
| KRZB.C CP | 248C2 | Archer City | TX | 166.18 | 212.8 | 106.0 | 60.18 |
| ALLO VAC | 248C1 | Archer City | TX | 199.76 | 213.4 | 133.0 | 66.76 |
| RDEL DEL | 248C1 | Archer City | TX | 199.76 | 213.4 | 133.0 | 66.76 |
| RADD ADD | 250A | cache | OK | 98.08 | 236.1 | 31.0 | 67.08 |
| KLAK LIC | 248C2 | Durant | OK | 194.78 | 144.3 | 106.0 | 88.78 |
| RDEL DEL | 248C2 | Durant | OK | 194.78 | 144.3 | 106.0 | 88.78 |

Bromo Communications, Inc.

Atlanta, Georgia
January 2003

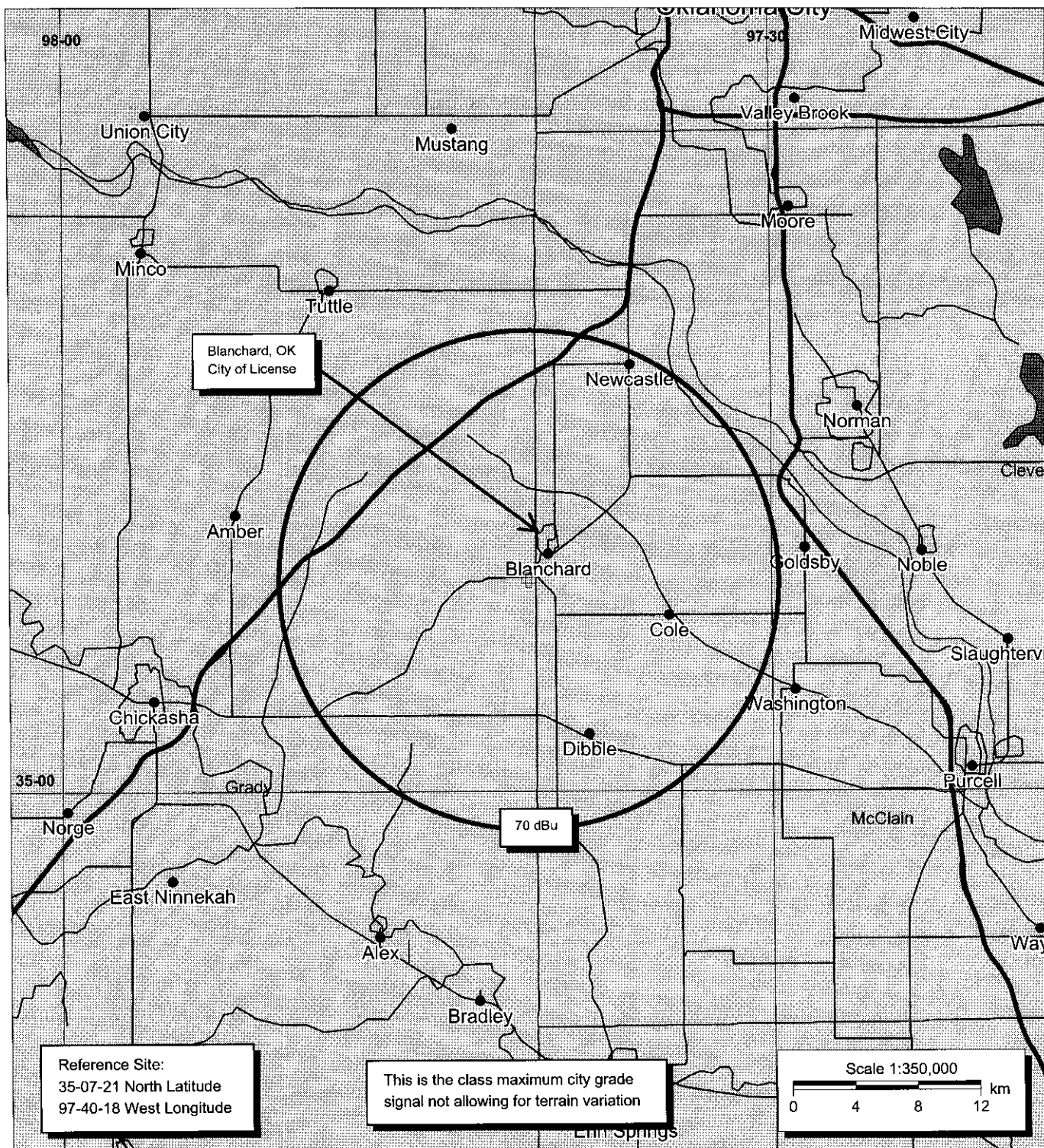


EXHIBIT #2
CITY GRADE CONTOUR
Petition for Rule Making
Channel 247A - 97.3 mHz
Blanchard, Oklahoma

Bromo Communications, Inc.
 Atlanta, Georgia
 January 2003

Exhibit 2

2000 U.S. CENSUS DATA

[For information on confidentiality protection, nonsampling error, and definitions, see text]

Abstract

QT-PL. Race, Hispanic or Latino, and Age: 2000
Geographic Area: Blanchard city, Oklahoma

NOTE: Data not adjusted based on the Accuracy and Coverage Evaluation. For information on confidentiality protection, sampling error, nonsampling error, and definitions see <http://factfinder.census.gov/home/en/datanotes/expplu.html>.

| Subject | All ages | | 18 years and over | |
|--|----------|-------|-------------------|---------|
| | Numbe | Perce | Numbe | Percent |
| RACE | | | | |
| Total population | 2,816 | 100.0 | 2,043 | 100.0 |
| One race | 2,701 | 95.9 | 1,979 | 96.9 |
| White | 2,580 | 91.6 | 1,896 | 92.8 |
| Black or African American | 9 | 0.3 | 5 | 0.2 |
| American Indian and Alaska Native | 91 | 3.2 | 65 | 3.2 |
| Asian | 6 | 0.2 | 5 | 0.2 |
| Native Hawaiian and Other Pacific Islander | 0 | 0.0 | 0 | 0.0 |
| Some other race | 15 | 0.5 | 8 | 0.4 |
| Two or more races | 115 | 4.1 | 64 | 3.1 |
| HISPANIC OR LATINO AND RACE | | | | |
| Total population | 2,816 | 100.0 | 2,043 | 100.0 |
| Hispanic or Latino (of any race) | 68 | 2.4 | 32 | 1.6 |
| Not Hispanic or Latino | 2,748 | 97.6 | 2,011 | 98.4 |
| One race | 2,649 | 94.1 | 1,948 | 95.3 |
| White | 2,547 | 90.4 | 1,876 | 91.8 |
| Black or African American | 9 | 0.3 | 5 | 0.2 |
| American Indian and Alaska Native | 88 | 3.1 | 63 | 3.1 |
| Asian | 5 | 0.2 | 4 | 0.2 |
| Native Hawaiian and Other Pacific Islander | 0 | 0.0 | 0 | 0.0 |
| Some other race | 0 | 0.0 | 0 | 0.0 |
| Two or more races | 99 | 3.5 | 63 | 3.1 |

Source: U.S. Census Bureau. Census 2000 Redistricting Data (Public Law 94-171) Summary File, MatricesPL1, PL2, PL3, and PL4.

Exhibit 3

**PHOTOGRAPHIC EVIDENCE
OF PUBLIC AND PRIVATE VENUES**



BLANCHARD UNITED STATES POST OFFICE



BLANCHARD CITY WATER COMPLEX



CITY OF BLANCHARD PUBLIC WORKS BUILDING



BLANCHARD POLICE DEPARTMENT



BLANCHARD PUBLIC WORKS YARD



BLANCHARD SPORTS COMPLEX



BLANCHARD NEWS



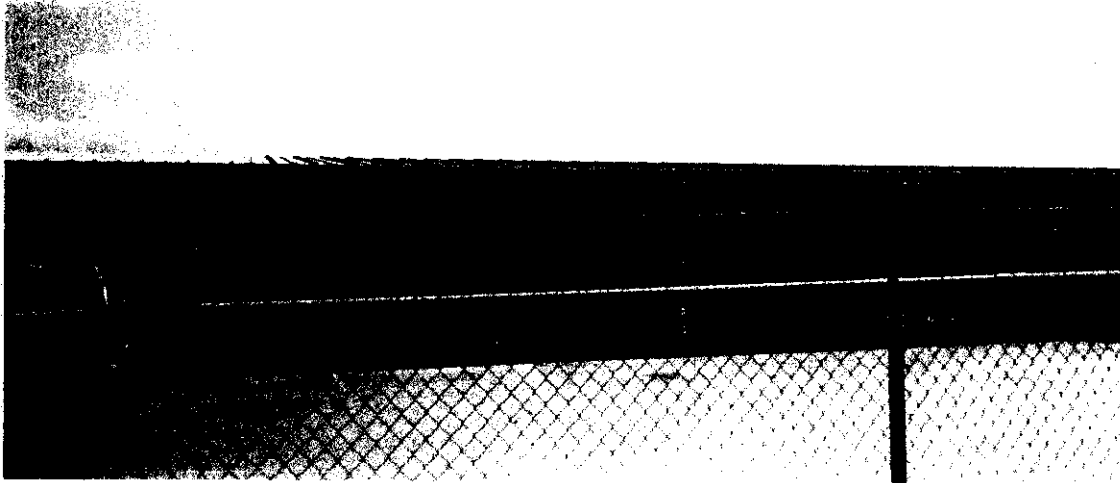
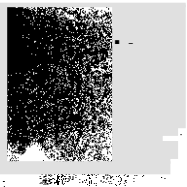
BLANCHARD FIRE DEPARTMENT



BLANCHARD VETERNARIAN



BLANCHARD CEMETARY



BLANCHARD BUILDING CENTER



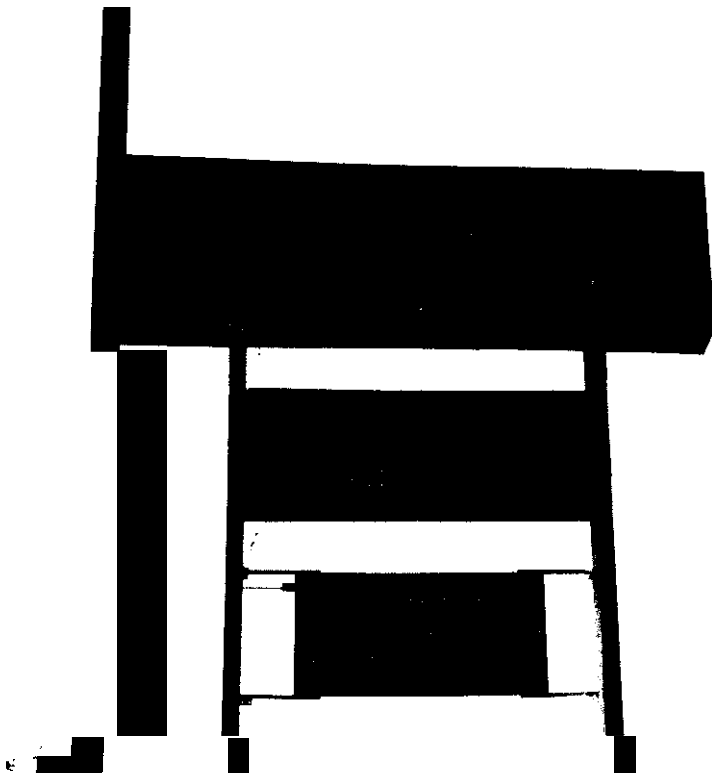
PRIVATE INDUSTRIAL PLANT



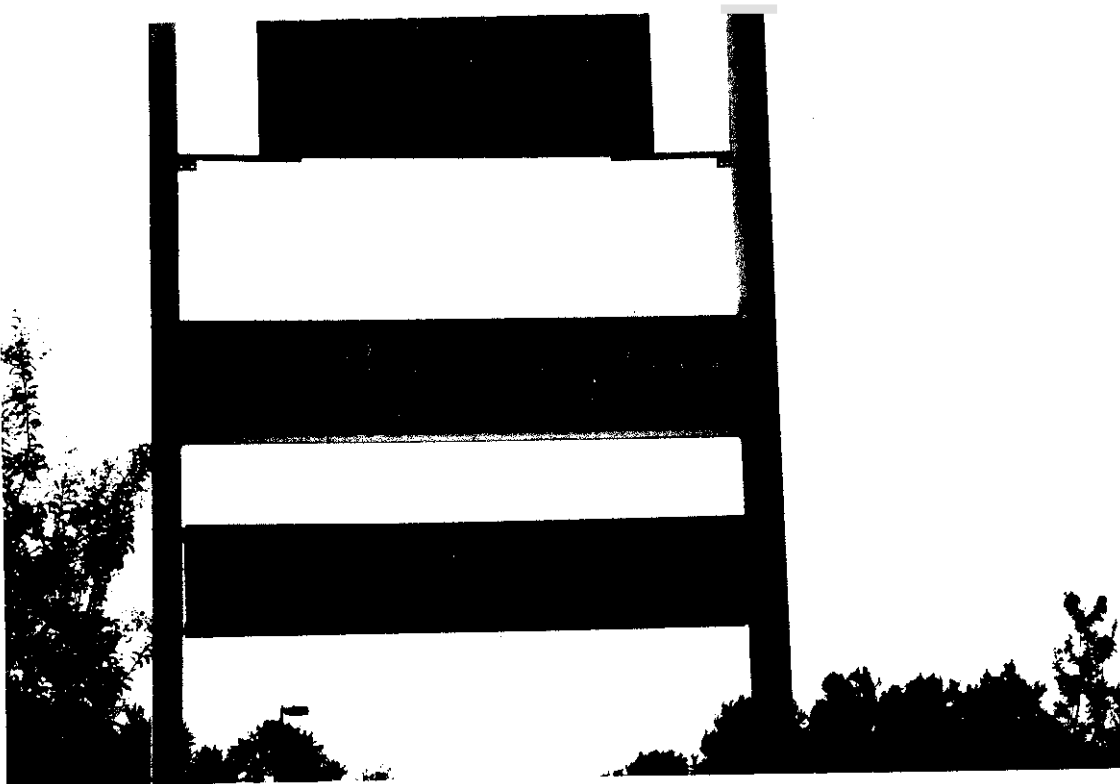
BLANCHARD BANKING CENTER



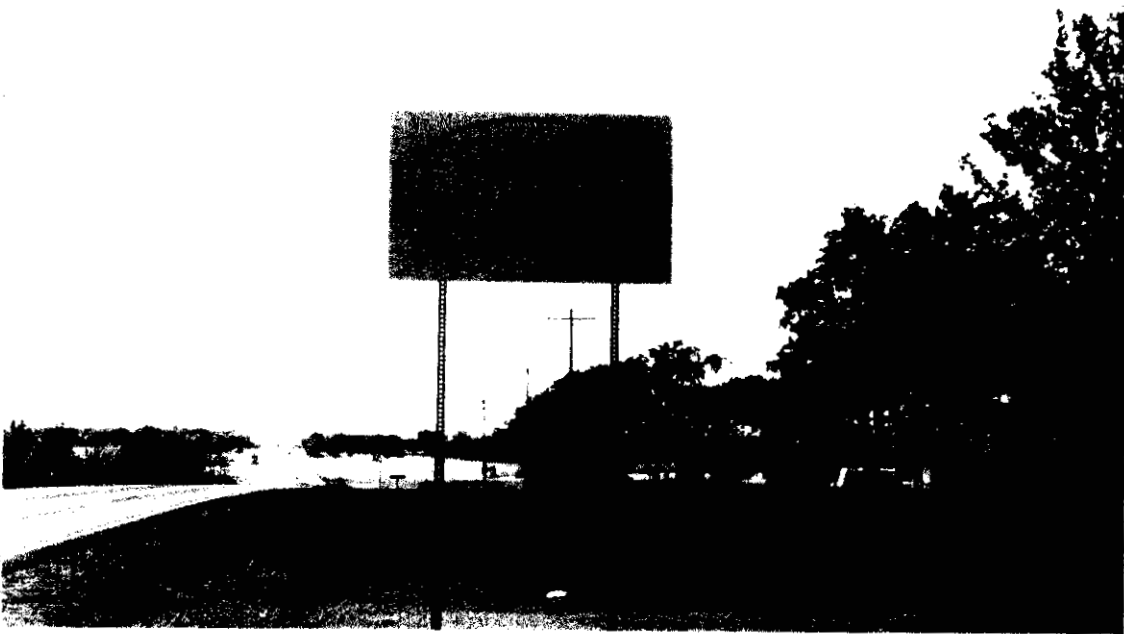
BLANCHARD DRUG STORE AND GASOLINE STATION



BLANCHARD SHOPPING CENTER



BLANCHARD SHOPPING CENTER CONTINUED



BLANCHARD CHAMBER OF COMMERCE WELCOME SIGN



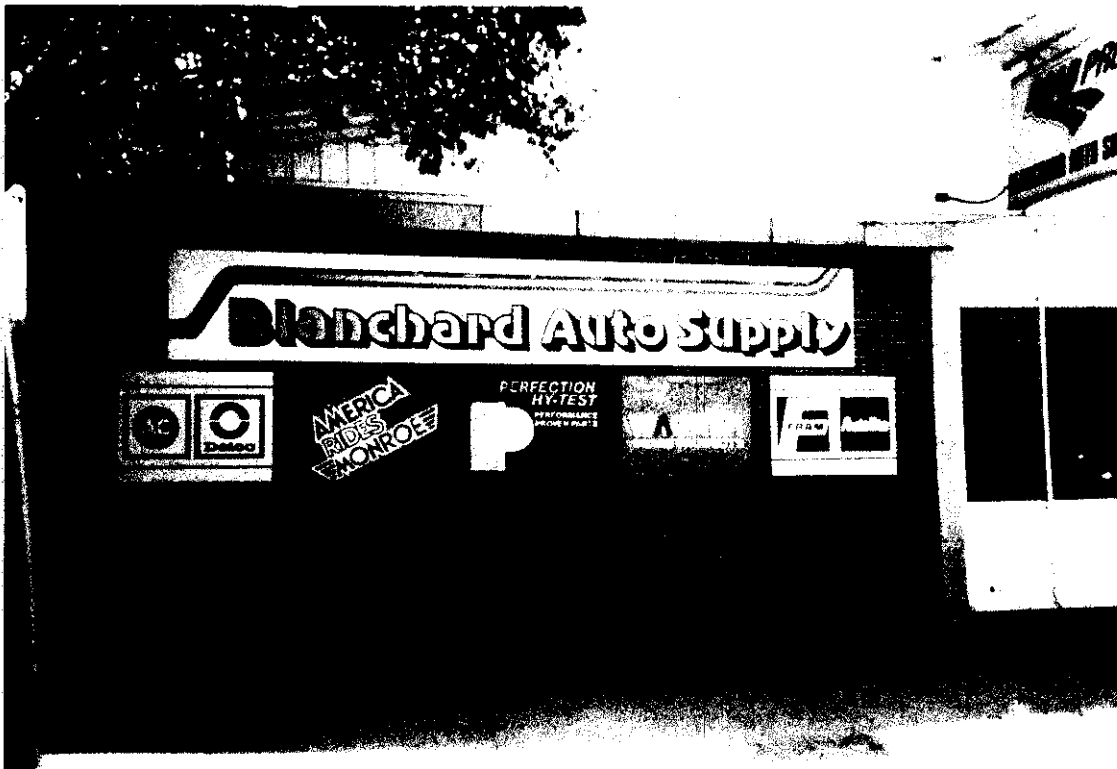
BLANCHARD PROFESSIONAL COMPLEX



BLANCHARD CHAMBER OF COMMERCE



BLANCHARD CHAMBER OF COMMERCE



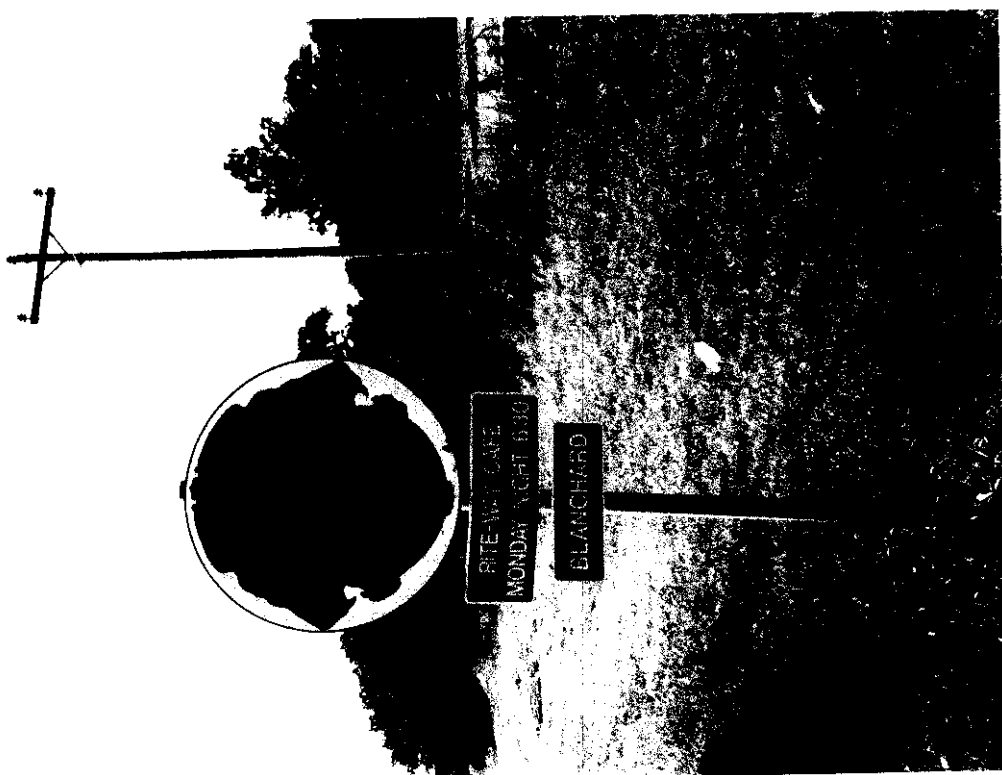
ELANCHARD AUTO SUPPLY



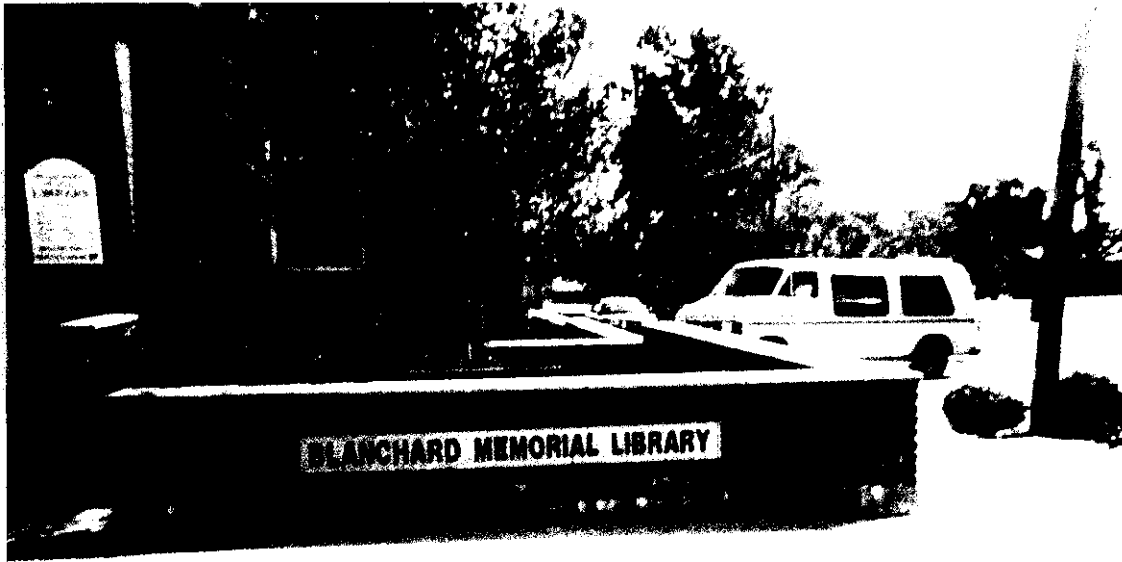
ELANCHARD MALL



WELCOME SIGN SHOWING CITY LIMITS



BLANCHARD LIONS CLUB SIGN



BLANCHARD MEMORIAL LIBRARY



BLANCHARD MASONIC LODGE